

REMARKS

For the purpose of examination of the present application, Applicants elect Species SEQ ID NO: 30, with traverse.

Claim 5 is directed to the elected species. As acknowledged by the Examiner, at least claims 1-4 and 6-11 are generic.

According to MPEP 803, if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Unity of invention exists when there is a technical relationship among the claimed inventions involving one or more of the same or corresponding special technical features. Although lack of unity of invention should certainly be raised in clear cases, it should neither be raised nor maintained on the basis of a narrow, literal or academic approach. There should be a broad, practical consideration of the degree of interdependence of the alternatives presented, in relation to the state of the art as revealed by the international search or, in accordance with PCT Article 33(6), by any additional document considered to be relevant. *See* MPEP § 1850.

In the present instance, it is clear that the SEQ ID NO: 28 (His₄) is part of SEQ ID NOS: 29 and 30. Also, His₂ is part of SEQ ID NOS: 28, 29 and 30. Thus, there is no undue burden for the Examiner to examine His₂ and SEQ ID NOS: 28, 29 and 30. Moreover, Applicants respectfully submit that the Examiner would not have any undue burden by additionally searching SEQ ID NO: 9. All of the sequences recited in claim 5 can be used in constructing a predetermined cleavage site according to claim 1.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding Sequence Election Requirement.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Monique T. Cole, Registration No. 60,154 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By M. J. Cole #60154
for Gerald M. Murphy, Jr.
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant